United Nations A/HRC/28/47

General Assembly

Distr.: General
19 January 2015

Original: English

Human Rights Council
Twenty-eighth session
Agenda items 2 and 9
Annual report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General

Racism, racial discrimination, xenophobia and related forms of intolerance, follow-up to and implementation of the Durban Declaration and Programme of Action

Combating intolerance, negative stereotyping, stigmatization of, and discrimination, incitement to violence and violence against, persons based on religion or belief

Report of the United Nations High Commissioner for Human Rights*

Summary

The present report is submitted pursuant to Human Rights Council resolution 25/34, in which the Council requested the United Nations High Commissioner for Human Rights to prepare and submit, at its twenty-eighth session, a report based upon information provided by States on the efforts and measures taken by them for the implementation of the action plan outlined in paragraphs 7 and 8 of the resolution, as well as their views on potential follow-up measures for further improvement of the implementation of that plan. The report compiles and summarizes the contributions received from States and draws some conclusions based on them.

* Late submission.

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I. Introduction

1. The present report is submitted pursuant to Human Rights Council resolution 25/34 on combating intolerance, negative stereotyping and stigmatization of, and discrimination, incitement to violence and violence against, persons based on religion or belief. In paragraph 12 of the resolution, the Council requested the United Nations High Commissioner for Human Rights to prepare and submit to the Council, at its twenty-eighth session, a comprehensive follow-up report with elaborated conclusions based upon information provided by States on the efforts and measures taken by them for the implementation of the action plan outlined in paragraphs 7 and 8 of the resolution, as well as their views on potential follow-up measures for further improvement of the implementation of that plan.

2. The report contains a summary of the information received from 15 States; the original texts of the contributions can be consulted in the files of the Secretariat.

II. Information received from Member States

Argentina

3. Article 14 of the Constitution of Argentina states that all inhabitants of the nation enjoy the right to profess their religion freely, in accordance with the law. A Constitutional Court ruling, effective since 1994, provides that treaties prevail over national laws and some human rights treaties have constitutional status. Argentina recognizes the right to freedom of religion as enshrined in article 3 of the American Declaration of the Rights and Duties of Man and article 12 of the American Convention on Human Rights.

4. The National Registry of Religions has registered more than 2,500 officially recognized beliefs and religions, and ensures the promotion and protection of the rights of confessional communities.

5. The National Plan against Discrimination, based on the Durban Declaration and Programme of Action, has been approved and provides for extensive national consultations in terms of development and implementation processes.

6. In 2012, the National Institute against Discrimination, Xenophobia and Racism (INADI) launched the Programme on Religious Diversity and Beliefs and the Forum for Religious Diversity and Beliefs. The main objective of the latter is to approach diversity and non-discrimination from a human rights perspective and to address issues relevant to religious communities. A series of awareness-raising materials are currently being developed to promote dialogue and public awareness about the right to freedom of expression and belief.

7. In December 2011, INADI launched the Centre for Research, Development and Training on Cultural, Religious and Ethnic Diversity (DIVERSIA). Since its creation, DIVERSIA has conducted various training sessions, seminars and other activities aimed at promoting cultural diversity.

8. INADI is mandated to consider complaints by individuals and members of civil society on grounds of discrimination, including anti-Semitism and Islamophobia.

Australia

9. The Department of Social Services works to foster a domestic environment of religious tolerance, peace and respect. It funds grants for Diversity and Social Cohesion projects, which promote local awareness and understanding within and between communities through common dialogues and goals, and supports the National Anti-Racism Strategy of the Australian Human Rights Commission and the National Anti-Racism Partnership.

10. Through the network of Multicultural Community Liaison Officers, the Department of Social Services engages with communities on the ground. Multicultural Community Liaison Officers focus on creating collaborative relationships and community networks and providing information and "messaging". Officers also work with multicultural communities to identify and help address potential drivers of social conflict and division in diverse areas. This helps to inform strategies that strengthen social cohesion, including the identification of priority needs and locations.

11. Advisory bodies and various government departments convene regular interfaith dialogues and initiatives involving religious and community leaders and interfaith experts. The Government protects and promotes religious rights and freedoms through the criminal and civil legislative framework and by actively engaging with the communities and their leaders.

12. Through the Attorney-General's Department, Australia engages and works with a wide range of community groups and organizations to build resilience to violent extremism, as well as groups that promote radicalization to violent extremism.

13. A range of materials have been published that provide guidance on assisting vulnerable persons, including youths, to move away from ideologies that promote the use of violence to achieve social change. The guidance emphasizes that everyone has the right to express their beliefs and group interests openly, but that a willingness to use or support the use of violence to achieve political, religious or ideological goals is unlawful (see www.livingsafetogether.gov.au).

14. Strong vilification laws are in place, such as those found in the Racial Discrimination Act 1975, which strike a balance between the right to freedom of expression and freedom from racial discrimination and racial vilification. There are strong domestic criminal laws against urging violence, including between religious and cultural groups. Where there is a basis for suspecting that activities of individuals or groups are of security concern, they are reviewed and investigated by relevant law enforcement and security authorities.

Azerbaijan

15. The State Committee on Religious Associations of the Republic of Azerbaijan outlined several measures taken during 2014 in Baku and other regions aimed at anchoring in law the rights and freedoms of all confessions represented in the country. Such measures were taken with a view to combating religious intolerance and violence, eliminating situations causing aggressive and extremist behaviour, minimizing religious fanaticism, and to facilitating the coexistence of the followers of different faiths around common religious/moral values.

16. During 2014, two-day regional conferences were held in the cities of Ismayilli, Guba, Sheki and Barda, at which prominent speakers delivered speeches and discussions were held around key themes.

17. Within the framework of "peace month", which is held annually from 21 August to 21 September, the Committee organized several awareness-raising meetings in the cities of Zagatala, Goychay and Lankaran, attended by representatives of various sectors of society, on the promotion of peace and human rights and religious tolerance. A mini-football tournament, for the Cup of Tolerance, was held in April–May 2014 among religious communities. Teams of the different confessions, as well as representatives of the Muslim, Christian and Jewish communities, participated in the tournament.

18. Significant funds were allocated to the Development of Religious Culture Foundation with the aim of strengthening the promotion of religious culture, tolerance and interreligious and intercultural dialogue, and the Baku International Centre for Multiculturalism was established. Under an order of the Cabinet of Ministers, funds were allocated to religious communities.

19. The Tolerance Network of Religious Communities, an electronic network, was established; Jewish, Christian and Muslim communities demonstrating social activeness participate in the network. Twenty religious communities have been provided with computers in order to improve the functioning of communities in social life with a view to promoting universal values, strengthening the principle of intercommunal networking and mutual cooperation, and providing technical education to religious communities. Five joint projects aimed at resolving social problems by involving religious communities of different beliefs have already been supported.

El Salvador

20. The right of everyone to freely profess a religion or belief is enshrined in the Constitution. Article 3 provides that all persons are equal before the law and in their enjoyment of civil rights and that no restrictions based on nationality, race, sex or religion may be established.

21. Any officer, employee, agent or public authority denying individuals rights under the Constitution on grounds of nationality, race, sex, religion or other status, or otherwise, shall be punished with imprisonment of one to three years and disqualification from office or employment for the same period (art. 292 of the Penal Code).

22. The State recognizes the diversity of religions, faiths and churches, in accordance with article 25 of the Constitution, which guarantees the free exercise of all religions, without limitation other than by morality and public order. In accordance with articles 3 and 25 of the Constitution, initiatives have been promoted to build and strengthen a culture of peace, respect and tolerance among the Salvadoran population.

23. On 29 September 2014, the National Council for Citizen Security and Coexistence was created to provide a forum where proposals and solutions to insecurity and violence existing in the country can be addressed. Representatives of the Catholic Church, the Lutheran Church, the Anglican Church, the Evangelical Church, business associations, the Attorney General's Office (Fiscal General de la República), the Association of Municipalities of the Republic of El Salvador (COMURES), various government portfolios, political parties and the media participate in the forum.

24. Actions violating an individual's freedom of religion include impairing, interrupting or disrupting the free exercise of religion; making public declarations against beliefs; and destroying religious objects. Such offences are to be punished by imprisonment for six months to two years. The sanctions of imprisonment are greater if the offence is committed with publicity and/or repeatedly (art. 296 of the Penal Code). There is no record of cases brought or prosecuted for reasons of intolerance, stigmatization or discrimination on the grounds of religious practices or beliefs.

25. Catholic, Episcopal Anglican, Lutheran, Reformed Calvinist, Baptist, Baha'i, Buddhist, Jewish and Muslim leaders have joined the El Salvador affiliate of Religions for Peace, with a view to coordinating and collaborating on joint actions.

26. Religiously motivated violence is prevented by the State, and article 7 of the Constitution prohibits the existence of armed groups of a political, religious or union nature.

27. With regard to education, the State ensures access and equality for all people, as set out in article 58 of the Constitution. Public schools are secular, while most private schools are of Christian denomination, but all educational institutions operate freely and must meet the operational requirements set by the Ministry of Education.

France

28. France stated that an interministerial committee against racism and anti-Semitism (DILCRA) was charged with proposing and following the development of a national policy against racism and anti-Semitism. The policy provides for awareness-raising activities and training among diverse sectors of the public (State authorities, victims and Internet users) focused on combating stereotypes and prejudice in order to prevent racial discrimination.

29. The initial and continuing training of public authorities was identified as a specific task. As of 2015, all of the approximately 60,000 new representatives of the State will benefit from an obligatory awareness-raising training programme. Supervisors will train and mobilize their staff through seminars and training modules, in which the supervisors have already participated. DILCRA is working with ministers of the interior at the department level and ministers of education and ecology on this policy. Teacher training institutions (*écoles supérieures du professorat et de l'éducation*) have also been mobilized to ensure implementation of the national training policy.

30. France said that it was convinced of the fundamental importance of raising awareness among young people; an "educational continuum" targeting them would be put in place in schools and universities. As of 2015, in order to prevent stereotyping and discrimination, awareness-raising programmes will be integrated into a national common set of teaching materials focused on secular values. The training will include elements on citizenship and cultural and historical heritage, and pedagogical tools aimed at fighting racial hatred. A DILCRA working group will also work on creating linkages between cultural establishments and school groups.

31. Practical tools for use in the world of sports, for youth and for use in popular education have been designed. Several projects have been undertaken in the past months, including a legal guide on the fight against "incivility", violence and discrimination in sports; a teaching kit entitled "Toward sports without violence ..." aimed at preventing racism, issued in 2014; a guide on good practices against racism and anti-Semitism; and a history book on racism, anti-Semitism and xenophobia in sports in France during the twentieth century, prepared by the Comité d'histoire des ministères chargés de la Jeunesse et des Sports. Under this national policy innovative teaching and pedagogical actions will be undertaken by associations on the ground.

Germany

32. The Federal Government actively supports networking, democratic consciousness and participation, education, and the promotion of civic engagement through the Forum against Racism; the government-funded programme entitled "Cohesion through

participation"; the Federal Agency for Civic Education (Bundeszentrale für politische Bildung); and the Alliance for Democracy and Tolerance.

33. The Federal Ministry of the Interior has, for many years, successfully promoted Christian-Jewish cooperation and interreligious and intercultural dialogue between Christians and Jews, in recent years expanding the dialogue to a trialogue at the international level with Muslims. In 2006, the German Islam Conference was launched to establish a permanent communication process between the German state (Federal Government, Federal Länder, municipalities) and the representatives of Muslims living in Germany (see www.deutsche-islam-konferenz.de).

34. The Federal Minister of the Interior delivered a speech on the occasion of the Day of Action against Hatred and Violence, which was organized by Muslim associations in 10 cities all over Germany; activities marking the Day were held on 19 September 2014 after Friday prayers, and included sit-ins and peace prayers. In addition, in 2014, the Federal Ministry of the Interior funded projects on interreligious and intercultural dialogue.

35. In Germany, offences involving discrimination against persons based on religion or belief, in particular violent offences, are recorded separately and analysed as hate crimes, under the heading of politically motivated crime. Germany stated that approximately 90 per cent of those offences had been attributed to right-wing-oriented and politically motivated crime. In accordance with the criminal law, in cases of hate crimes involving contempt for other human beings, which includes discrimination or violence based on religion or faith, the courts generally issue stricter sentences; if the crime entailed murder, courts consider the offender to have acted on base motives (sect. 211 of the Criminal Code). Specific forms of hate crime involving religious aspects are also punishable, depending on the individual case, as incitement to hatred (sect. 130 of the Criminal Code), as the defamation of religious associations (sect. 166 of the Criminal Code) or as insults (sect. 185 of the German Criminal Code), if the offence was targeted at individuals. According to the Police Crime Statistics for 2012, 2,506 cases of incitement to hatred and 47 cases of defamation of religious associations were reported in 2012, with the resolution rates being 63.8 per cent and 44.7 per cent, respectively. Insults with a religious aspect are recorded under the subheading "religion", provided that an application for criminal prosecution is filed.

36. Police work to combat hate crimes includes systematically prosecuting hate crimes as offences against State security and recording them separately; cooperating with counselling bodies and supporting projects, associations and institutions providing assistance to victims; undertaking differentiated analysis of the number of cases nationally, in order to elaborate potential prevention measures; and cataloguing measures to combat politically motivated crime in order to perceive, record and combat relevant offences in a more targeted manner. The police take regular preventive measures, such as stepping up physical protection or police controls with regard to especially vulnerable locations, for example, Jewish cemeteries. Germany stated that the Federal Council (Bundesrat) had decided to initiate procedures before the Federal Constitutional Court to ban a right-wing extremist party, with the active support of the Federal Government.

37. In 2011, the Federal Ministry of the Interior launched the Security Partnership Initiative, a body comprised of representatives of the Federal Government, the Länder, security authorities and Muslims, aimed at increasing public awareness of the problem of radicalization of young people, to initiate projects and to provide financial support for successful projects carried out by Muslims and security authorities at the local level (see www.initiative-sicherheitspartnerschaft.de).

Greece

38. In October 2014, Law 4301, a new law on the organization of the legal form of religious communities in Greece, was adopted by the Hellenic Parliament. The concept of "religious legal person" was legislated in Greece for the first time, with the aim of attributing the appropriate legal form to religious communities and regulating the issue of their organization. Thus, the fundamental right to religious freedom has been strengthened, and the collective expression of religious beliefs of all members of religious communities has been facilitated.

39. European Union Council Framework Decision 2008/913/JHA of November 2008 has been implemented through Law 4285/2014 (amendment of Law 927/1979) on combating certain forms and expressions of racism and xenophobia by means of criminal law. Articles 1 and 2 of Law 4285/2014 provide for sanctions against anyone who publicly incites to actions creating discrimination, hatred or violence against a group of persons or a member of such a group defined by reference to race, colour, religion, descent, national or ethnic origin, sexual orientation or disability, jeopardizing public order.

40. Sanctions are also prescribed for those who incite such actions resulting in the commission of a crime. The same sanctions are provided for anyone who publicly condones, trivializes or denies war crimes, crimes of genocide or crimes against humanity, including the Holocaust and crimes of Nazism, that have been recognized in decisions of international courts or by the Hellenic Parliament. Moreover, sanctions for the aforementioned offences are provided vis-à-vis public servants.

Ireland

41. Article 44 of the Irish Constitution specifically protects religious freedom and the right to freedom of expression of convictions and opinions. The law also provides for strong protection against discrimination on nine grounds, including religious belief, through the Employment Equality Acts, which cover discrimination in the workplace, and the Equal Status Acts, which provide for protection against discrimination in the provision of goods and services. The legislation is designed to promote equality, prohibit discrimination — direct, indirect and by association — and victimization, and allows for positive action measures to ensure full equality. Irish legislation also provides for remedies for those who have suffered discrimination.

42. The Prohibition of Incitement to Hatred Act, 1989, makes it an offence, inter alia, to use words, publish or distribute written material, or broadcast any visual images or sounds that are threatening, abusive or insulting and are intended to or, having regard to all the circumstances, are likely to stir up hatred.

43. Where criminal offences such as assault, criminal damage or public order offences are committed against a person based on their religion or belief, the offences are prosecuted as generic offences through the wider criminal law, but judges are required to take such aggravating factors into account at sentencing.

44. In 2012, the Government established the Convention on the Constitution, which published its sixth report in January 2014, in which it recommended that a referendum should be held with a view to removing the offence of blasphemy from the Constitution. The Government's response was presented to the Dáil (in the Irish Parliament) in October 2014 and the referendum will take place at an appropriate date to be decided by the Government after the necessary consultations have been completed and the required legislation has been prepared. A vote in favour of removing the offence of blasphemy from the Constitution would permit removing the legislative provision for the offence.

45. The Holocaust Memorial Day commemoration in Ireland is designed to cherish the memory of all of the victims of the Holocaust and to provide lessons from the past. The inclusion of all victim groups is fundamental to the commemoration, and education about anti-Semitism and all forms of intolerance is important. The Holocaust Educational Trust Ireland advises and assists the Government with organizing the annual commemoration with the involvement of the Department of Justice and Equality (through the Office for the Promotion of Migrant Integration), Dublin City Council, Dublin Maccabi Charitable Trust and the Jewish Representative Council of Ireland.

Italy

46. The Constitution provides specific protection for freedom of conscience and religious experience, taking into consideration private, collective and institutional aspects (arts. 2, 3, 7, 8 and 19). In accordance with article 3, the non-discrimination principle constitutes one of the main pillars of the basic security system. The Government has created comprehensive legislation by translating both European Union Directive 2000/43/EC and European Union Directive 2000/78/EC in order to prohibit all forms of discrimination based on race or ethnic origin, in any area or sector, both private and public, and to regulate the prohibition of discrimination on grounds of religion or belief, disability, age or sexual orientation as regards employment and occupation.

47. Italy has developed a regulatory reference framework to combat hate crimes by adopting measures to support potential victims of discriminatory actions and conduct and by means of a system of penalties. The legislation provides for the punishment of organizations, associations, movements or groups that have among their aims incitement to discrimination or to violence motivated by racial, ethnic or religious reasons. It sets out aggravating circumstances for all crimes committed on the ground of discrimination or racial hatred. By law, judicial authorities have to verify any existence of criminal content in documents, speeches and programmes made by political representatives.

48. The Office of Studies and Institutional Relations under the Presidency of the Council of Ministers is in continuous contact with and cooperates with the national organization of the Jewish community, mainly regarding issues related to the implementation of the *intesa*[1] and problems of discrimination.

49. Since 2010, the Committee for Italian Islam has focused on issues of integration and the exercise of civil rights. It has issued position papers, endorsed by the Ministry of the Interior, on the Islamic veil and places and ministries of worship. The National Office against Racial Discrimination (UNAR), established at the Department for Equal Opportunities under the Presidency of the Council of Ministers and operating as a national equality body, is entrusted by law with the promotion of equality and the eradication of discrimination; to that end, it assists victims and monitors discriminatory phenomena in Italy.

50. The Observatory for Security against Discriminatory Acts (OSCAD), established in 2010 in response to the demand for security from potential victims of discrimination,

[1] A special agreement between the Government and a religious confession, which provides, inter alia, for the autonomy and independence of a denomination and for issues fundamental for believers and religious practices. Such agreements generally include provisions for spiritual assistance in collective institutions; education; recognition of civil marriages; fiscal treatment and financial relations between the State and the religious denomination; protection of places of worship and cultural and historical assets; guarantees regarding cultural identity; free exercise of worship; religious festivities; and the organization and management of religious confessions.

adopts a comprehensive approach, including the intervention of police forces to prevent and repress hate crimes.

51. The Government of Italy stated that it was fully committed to promoting interreligious dialogue and to preventing and resolving situations of discrimination and violation of the right to religious freedom by local governments, in particular concerning the burial of non-Catholics and the construction of places of worship. In order to fight all forms of religious discrimination and societal prejudice, particularly against Jewish and Muslim communities, the Government continues, inter alia, to host meetings to increase educational awareness and interreligious dialogue, while prominent religious and government officials encourage mutual understanding. In recent years, the Ministry of the Interior funded several projects to promote interfaith dialogue within the European Integration Fund framework.

52. Italy indicated that many training activities, including human rights education for all law enforcement agencies, had been introduced. The School of Civil Administration offers training courses to law enforcement officials on issues related to anti-Semitism and the Holocaust. Several central and local administrations organized initiatives aimed at raising public awareness.

Norway

53. The Ministry of Children, Equality and Social Inclusion is responsible for coordinating integration policies for immigrants and their children, to ensure that national policies in various fields function in unison and contribute towards achieving the goals of equal rights and duties. Dialogue and cooperation between different religious and "life stance" (non-religious) communities can foster mutual understanding and achieve respect and appreciation for both differences and common values. Financial grants have been provided for the Council for Religious and Life Stance Communities, the Christian Council of Norway and the Islamic Council of Norway.

54. Authorities have a developed a system to prevent religiously motivated hate crimes, which involves municipal units, local police, political parties and civil society. Police councils and services for the coordination of local crime prevention have been set up in more than 300 municipalities.

55. In 2014, the Ministry of Children, Equality and Social Inclusion funded the Norwegian campaign entitled "Young people combating hate speech online", as part of the European No Hate Speech Movement. The campaign is aimed at combating discrimination, harassment and hate speech on the Internet, and at supporting young people and groups in society who can be especially subjected to it.

56. Norway stated that section 135 a of the Criminal Code criminalized the uttering of discriminatory or hateful statements, which were defined as threatening or insulting anyone, or inciting hatred or persecution of or contempt for anyone because of his or her skin colour, national or ethnic origin, religion or life stance, or homosexuality, lifestyle or orientation.

57. The Government has an action plan against radicalization and violent extremism. Among its 30 measures, a project is to be launched to prevent hate rhetoric and discriminatory attitudes on the Internet. Oslo police have set up a special hate-crime unit. Other measures taken to improve the response to hate crimes are police officer training involving non-governmental organizations and regular round tables with civil society to establish dialogue and cooperation.

58. Since 2012, the Government has also funded a project for the prevention of anti-Semitism, racism and undemocratic attitudes (DEMBRA), led by the Centre for Studies of the Holocaust and Religious Minorities, in cooperation with the European Wergeland Centre and the University of Oslo. The Ministry of Education and Research commissioned a study on how indigenous peoples and national, ethnic and religious minorities are described, and how questions related to immigration and cultural diversity, anti-Semitism, xenophobia, racism, extremism, terrorism and radicalization are discussed, in textbooks for schools. The Norwegian Directorate for Education and Training launched a guide on national minorities for staff in kindergartens and schools in 2014.

59. The anti-discrimination act prohibits discrimination on the basis of religion or belief, and requires public authorities to make active, targeted and systematic efforts to promote equality irrespective of ethnicity, religion or belief.

60. The State and the municipalities have a financial responsibility for the Church of Norway. For several decades, other religious and life stance communities have had a statutory right to claim an annual financial grant per member of the community from both the State and the municipalities. The grants scheme secures equal financial treatment of all religious and life stance communities in Norway. About 700 such communities, including Buddhist, Christian, Hindu, Islamic, Jewish and humanistic communities, receive financial grants under the scheme.

61. Norway noted that no allegations had been made with regard to racial profiling.

Spain

62. In Spain, four key developments and activities were carried out to implement the action plan outlined in paragraphs 7 and 8 of Council resolution 25/34. The Advisory Commission on Religious Practice (CALR) was modified by Royal Decree 932/2013 in order to enhance the presence of religious groups in the Commission and to enrich the space and dialogue of confessions within the Commission. New measures have been created to improve knowledge of the situation of religious freedom in Spain and, therefore, of religious groups, including the preparation and submission of an annual report to the Government on the situation of the right to religious freedom in Spain, and the collection of information on action by the public administration related to the development and exercise of the right to religious freedom, thus strengthening the ability of CALR to obtain information on situations that can affect religious groups and believers and to raise its conclusions with government authorities. Specific working groups study and analyse issues affecting religious groups with a view to finding out more about their situation and identifying joint solutions, alternatives or initiatives to improve social life.

63. Spain participates in the King Abdullah Bin Abdulaziz International Centre for Interreligious and Intercultural Dialogue, located in Vienna, which seeks to enable, empower and encourage dialogue among followers of different religions and cultures around the world. In November 2013, a government delegation from Spain participated in the international conference entitled "The image of the other" aimed at implementing best practices in interreligious and intercultural education developed in the Euro-Mediterranean region.

64. The Observatory for Religious Pluralism in Spain developed a knowledge transfer tool underpinned by an agreement among the Ministry of Justice, the Spanish Federation of Municipalities and Provinces (FEMP) and the Pluralism and Coexistence Foundation for public management of religious diversity. The Observatory produces management guides and serves as a reference portal for religious groups and communities and confessions,

researchers and the general public. The European Commission designated the Observatory as a good practice in combating religious intolerance (see www.observatorioreligion.es).

65. The Pluralism and Coexistence Foundation developed a training plan related to the leadership and management of religious organizations and groups. Its general objectives are to increase knowledge of the regulatory framework concerning freedom of conscience and religion in Spain and of the management procedures necessary for the constitution and functioning of religious entities and their places of worship, and to improve the dialogue between religious entities and municipal authorities. The Foundation collaborates with various municipal authorities.

Syrian Arab Republic

66. The Syrian Arab Republic indicated that media discussions and talk shows to raise awareness about religious values and the risks associated with hatred and incitement had been broadcast in the country.

67. Networks and dialogues in which all religious leaders, as well as politicians and academics, take part have been established. The national educational curriculum is used to maintain moderate religious values and to encourage tolerance domestically, and a new e-school project was established to promote opportunities for students to have access to and follow Ministry of Education curricula. The Syrian Arab Republic stated that, unfortunately, given the current conflict situation, "books and leaflets were introduced by terrorist groups" to promote "*takhfiris*".

68. The Government reported that it was aware of the dangerous role the media could play in the promotion of incitement, noting the use of media to promote fatwas that justified terrorism and sexual slavery, and that incited discrimination, violence and destruction of the religious sites of others and the killing of minorities.

69. The Syrian Arab Republic stated that a new mechanism had been adopted to decrease tensions among specific religious groups, tensions that had not previously existed in the country. The Ministry of Religious Affairs has adopted a mechanism that enables it to oversee all religious groups, achieve equality among them and integrate them in the country's activities and planning. The role of the Ministry of National Reconciliation is to protect Syrian society, especially during the ongoing conflict, and support has been provided to religious leaders, particularly through consultation with them. The Union of Scholars of Bilad al-Sham (the Levant) was assigned to promote moderate religious values and improve understanding between all sects and schools of thought. Meetings between Muslim and Christian leaders and joint training and seminars have been organized to promote tolerance and equality in all components of Syrian society.

70. Religious freedom is encouraged through the enhancement of the capacity of individuals of different religions to profess their religion. The Syrian Constitution guarantees the right to practise all religious beliefs and the social diversity of the Syrian society as a national heritage which serves to improve national unity. Freedom of religion applies equally to all citizens in the enjoyment of rights and obligations and guarantees the right to contribute to economic, social and cultural life, without discrimination.

71. The Syrian Arab Republic stated that the phenomenon of religious profiling was non-existent in the country; however, existing laws, such as the Penal Code and the Military Penal Code, were in place to combat it.

72. The Syrian Arab Republic suggested actions to address issues of incitement to racial, national and religious hatred, including the following: (a) use the Rabat Plan of Action on the prohibition of advocacy of national, racial or religious hatred that constitutes incitement

to discrimination, hostility or violence as a framework to combat incitement to hatred; (b) promote tolerance in the educational system in order to combat discrimination in the educational system; (c) promote the depoliticization of religion; (d) continue dialogues at all levels and between countries as a way to "guarantee the specificity of all nations"; and (e) adopt mechanisms to hold accountable those countries that have jurisdiction over individuals and organizations that incite religious intolerance.

Turkey

73. Freedom of religion and conscience is guaranteed by the Constitution and relevant legislation. Minority rights in Turkey are regulated in accordance with the Treaty of Lausanne, under which Turkish citizens belonging to non-Muslim minorities fall within the scope of the term "minority".

74. A number of foreign clergy have been registered in Turkey to serve in places of worship with the relevant working permit. There are 387 places of worship belonging to non-Muslim communities, including 87 churches run by foreigners residing in Turkey. Non-Muslim places of worship are administered by their own associations or foundations and property rights regarding places of worship rest with the real or legal persons who founded them. A decree amending the Law on Foundations was published in August 2011, improving the situation of non-Muslim community foundations regarding the registration of their property.

75. On 13 May 2010, the Office of the Prime Minister issued a circular confirming that all Turkish citizens, independent of their religious communities, constitute an inseparable part of Turkey, and urging all related government institutions and offices to act with the utmost diligence for the elimination of problems encountered by non-Muslim minorities.

76. Positive steps continued to be taken in favour of different faith groups in the areas of education and culture. The Ministry of National Education reviews course materials annually to remove connotations that might be perceived as discriminatory by different faith groups. Pursuant to a request from Assyrian citizens, the Ankara 13th Administrative Court has ruled that Assyrian language courses can be delivered along with the curriculum of the Ministry of Education on certain days or during certain hours of the week in a preschool to be opened under a community foundation.

77. Permission was granted to a Greek minority school in Gökçeada to reopen in the academic year 2013/14, following the demand of the Greek community.

78. Since 28 February 2012, newspapers belonging to minorities, as defined in the Treaty of Lausanne, have been allowed to publish official advertisements upon written application.

79. The "democratization package" of September 2013 brought about significant improvements in the area of freedom of religion and conscience, as the ban on women wearing headscarves in public service was lifted and sanctions for preventing persons from individual worship and fulfilling requirements of religious beliefs were introduced in the Turkish Penal Code. Lifestyle is protected by law and, for the first time, hate crimes are punishable under the Code.

80. The title of article 122 of the Turkish Penal Code was changed from "discrimination" to "hatred and discrimination" within the framework of Law No. 6529 of 2 March 2014, and the penalty for the offence has been increased. Article 216 of the Turkish Penal Code regulates the prevention of incitement to social, racial, religious or regional enmity or hatred. In addition, under article 115 of the Code the act of hindering the exercise of freedom of belief, thought and conviction is punishable, while article 153

penalizes acts of damage to places of worship, such as churches and mosques, and the property used in such places, and to cemeteries and the facilities and protective structures thereof.

81. Turkey cited a number of other laws and regulations that prohibit discrimination on the basis of race, language, sex, religion, political opinion, nationality or social origin.

United Kingdom of Great Britain and Northern Ireland

82. The United Kingdom outlined key legislation to protect victims and tackle offenders, including provisions setting out specific offences relating to stirring up hatred on the grounds of race, religion, belief and sexual orientation (under Part III and Part IIIA of the Public Order Act 1986 as amended); separate racially and religiously aggravated offences, which carry a higher maximum penalty than non-aggravated offences (under the Crime and Disorder Act 1998); and powers for the courts to increase the sentence of an offender convicted of a crime where hostility towards the victim is based on several grounds, to reflect the seriousness of hate crime (Criminal Justice Act 2003).

83. In March 2012, a cross-Government action plan was published in England to tackle hate crime, bringing together the work of a wide range of departments and agencies to: prevent hate crime; increase reporting and victims' access to support; and improve the operational response to hate crimes. It includes specific work programmes to tackle anti-Semitism and anti-Muslim hatred and actions to better engage with disabled and transgender persons, Gypsy, Traveller and Roma communities and new migrants and to tackle racism, homophobia and transphobia in sports.

84. Recently, a review of actions to tackle hate crime was conducted. Close cooperation with a wide range of voluntary sector and community representatives, front-line organizations and the Government's Independent Advisory Group on Hate Crime is ongoing, which provides insight into the day-to-day experience of hate crime.

85. In that context, one of the challenges that have continued to evolve is the task of removing hate material from mass media channels such as the Internet, while protecting freedom of expression. The Government is working with the police and the Independent Advisory Group on Hate Crime to build relationships with leading social media providers and to improve their response to offensive and illegal hate-related content online, including through support to the international working group of the Inter-Parliamentary Coalition for Combating Antisemitism, to find collaborative solutions to reduce the harm caused by hatred on the Internet.

86. With regard to anti-Muslim hatred, police forces across the country work together with Muslim communities and organizations to provide reassurance, security measures and safety advice. In some areas 24-hour police patrols are in place to safeguard high-profile premises. The United Kingdom outlined a number of projects under way, including: (a) the first cross-Government working group on anti-Muslim hatred; (b) the launch of Tell MAMA, the first third-party reporting service to record incidents and support victims of anti-Muslim hatred; (c) the hosting of the first Srebrenica Memorial Day in the United Kingdom; (d) support from the Department of Communities and Local Government for social media workshops aimed at countering hatred online in Birmingham and Leeds, following two initial workshops held in London and Manchester; and (e) a number of road shows held by the Department of Communities and Local Government around the United Kingdom in March and April 2014 to promote the work of integration and combat anti-Muslim hatred, and to engage with the communities to find out what more the Government can do.

87. With regard to anti-Semitism, the United Kingdom continues to be a strong supporter of work in international organizations to combat anti-Semitism. It plays a leading role in the Organization for Security and Cooperation in Europe (OSCE) activities in relation to the Berlin Declaration to combat hate crime, including anti-Semitic hate crime, and was represented at ministerial level at the OSCE conference in November 2014 marking the tenth anniversary of the Declaration.

88. With the London Jewish Cultural Centre, the United Kingdom organized two seminars for journalists on how to report sensitively on difficult issues without fuelling anti-Semitism.

89. The United Kingdom is the Chair of the International Holocaust Remembrance Alliance, which is working on a new multi-year work programme for all member States to improve the ways in which they teach, research and commemorate the Holocaust. The new work programme gives priority to the study of the killing sites across Europe, renewed efforts to open up closed public and private archives, wider dissemination of good practice in Holocaust teaching in schools and the raising of the profile of Holocaust remembrance days.

United States of America

90. The Constitutional prohibition on the establishment of a religion by the Government, along with protections for freedoms of speech and association, as well as further protection of those freedoms for all individuals, have contributed to combating intolerance and discrimination against persons on the basis of religion or belief. The United States of America stated that robust protections on freedoms of expression, religion, association and assembly formed the basis for pluralism in the United States and for the ability of members of all religious communities and non-religious communities to participate fully in society and to contribute openly on an equal footing. (See www.justice.gov/crt/spec_topics/religiousdiscrimination/).

91. At the Department of Justice, the Special Counsel for Religious Discrimination coordinated legal cases involving religion-based discrimination among the various sections of the Civil Rights Division and oversaw outreach efforts to religious communities. The Division has actively enforced the Religious Land Use and Institutionalized Persons Act of 2000, which protects houses of worship from discriminatory or unjustifiably burdensome zoning regulation. The efforts of the Equal Employment Opportunity Commission and the Civil Rights Division have also included outreach to affected communities, Commission guidance, fact sheets, question and answer documents for employers, and enforcement efforts by both agencies.

92. The Community Relations Service at the Department of Justice works on engagement with members of diverse communities, encouraging the creation of collaborative networks and creating mechanisms to work with different communities with regard to potential areas of conflict. The Service has created a set of "best practices" to address hate crimes and has worked directly with hundreds of rural, suburban and urban governments to help eliminate racial distrust and polarization and provide assistance to bring together law enforcement agencies and members of minority neighbourhoods. It also created a law enforcement roll-call video entitled *The First Three to Five Seconds*, which helps police officers reduce tension by differentiating between threats and cultural norms in non-crisis situations.

93. The Office for Civil Rights and Civil Liberties at the Department of Homeland Security also conducts public outreach and engagement initiatives with groups, including American Arab, Muslim, Sikh, Somali, South Asian and Middle Eastern communities, such

as conducting regular community leader round tables in eight cities and youth round tables around the country. Training is also provided for law enforcement personnel and intelligence analysts, where topics of discussion include addressing misconceptions and stereotypes of Islam and Muslims, a how-to guide for community interaction, effective policing that actively prohibits racial or ethnic profiling, and federal approaches to engagement and outreach.

94. The President and other senior government officials have spoken out against intolerance. The United States sponsors and encourages interfaith dialogue.

95. The United States also engages in international efforts to foster a global dialogue. It hosted an expert-level meeting on implementing Human Rights Council resolution 16/18 in Washington, D.C. in December 2011, developed a country-to-country workshop programme to explore best practices in implementing the resolution during 2013 in Bosnia and Herzegovina, Greece and Indonesia, and planned additional programmes in 2014.

96. On potential further follow-up measures, the United States stressed the importance of encouraging States to implement the steps outlined in resolution 25/34. Implementation meetings on best practices were helpful to that effort; such meetings should be focused on concrete steps outlined in the text and involve domestic officials charged with implementing government policies on those issues. The United States stated that "meetings that seek to explore issues beyond implementation of the text, or which do not include experts, will distract from implementation efforts and will fail in addressing the concerns set forth in the resolution text". It also noted the importance of involving civil society in implementation efforts. Reporting to the Office of the United Nations High Commissioner for Human Rights (OHCHR) on the implementation of the steps outlined in the resolution was an important measure of progress, and States should be encouraged to contribute to such reporting.

III. Activities undertaken by the Office of the United Nations High Commissioner for Human Rights

97. OHCHR continued to work on follow-up to the Rabat Plan of Action and the implementation of Human Rights Council resolution 16/18 and its successor resolutions, including 25/34, as well as similar resolutions of the General Assembly, at the national and international levels. The Office organized events to consider issues related to combating religious intolerance. For instance, it held a panel discussion for the International Day of Commemoration in memory of the victims of the Holocaust on 28 January 2014 in Geneva. In September 2013, a database on best practices that includes pertinent information on incitement to national, racial or religious hatred was launched.

98. In terms of technical assistance, specific thematic events were organized in Belarus and Tunisia. In cooperation with the United Nations Development Programme and the Belarusian Ministry of Foreign Affairs, a seminar entitled "Combating incitement to hatred, xenophobia and related intolerance in cyberspace" was held in Minsk on 2 and 3 September 2014. The seminar considered national and international efforts to combat incitement to hatred, xenophobia and related intolerance on the Internet, and the role of national and international media in combating hate speech, xenophobia and related intolerance.

99. In Tunis, from 16 to 18 October 2014, OHCHR and the United Nations Educational, Scientific and Cultural Organization jointly held a regional workshop on the role of civil society and media in promoting tolerance and diversity in the Middle East and North African region, in the light of the Rabat Plan of Action. Participants in the workshop suggested concrete steps towards the establishment of an effective regional civil society partnership against incitement to hatred, which could develop into a structured coalition in

the future. Focal points from each of the participating countries agreed to begin working together on the modalities of the establishment of a regional coalition.

100. A conference on combating religious intolerance is planned for 2015, to contribute to the practical implementation of Human Rights Council and General Assembly resolutions on combating intolerance, negative stereotyping, stigmatization, discrimination, incitement to violence and violence against persons, based on religion or belief, aimed at increasing practical exchange and dialogue on issues of freedom of religion and belief by Governments and other actors.

IV. Conclusions

101. **The Office of the United Nations High Commissioner for Human Rights received 15 replies to the note verbale sent pursuant to paragraph 12 of Human Rights Council resolution 25/34, in which the Council invited submissions from Member States. Responding States reported broadly on their efforts in relation to the provisions contained in paragraphs 7 and 8 of the resolution. The High Commissioner invites States to consider requesting more focused submissions on a limited number or specific provisions of the resolution.**

102. **The information provided by States on their efforts and measures for the implementation of the action plan outlined in paragraphs 7 and 8 of the above-mentioned resolution indicates that the steps taken by States are largely policy oriented or legal in nature, with many enshrining protection against discrimination on the basis of religion or belief in national constitutions, criminal codes and civil laws and regulations.**

103. **A number of States are working to address hate crimes at the domestic level. Advocacy of incitement to hatred is for the most part criminalized and often prohibited on several grounds, including religion or belief. It was also noted that protecting freedom of expression and opinion was important to ensuring equality and countering religious intolerance.**

104. **Extremism and radicalization, often leading to hate crimes and violence, were being addressed through social cohesion and integration programmes and police and security responses, often coupled with regular engagement and interaction with grass-roots communities and young people, and data gathering and monitoring. A number of States have governmental strategies or plans in place to address issues of extremism and radicalization.**

105. **Almost all of the States that contributed information provide for a channel or some form of communication and consultation between religious groups and communities and government authorities. Numerous practical examples were cited of established networks, communication bodies and/or forums between State institutions and religious groups or communities, with some focused on policing and security matters and others serving as general forums of exchange.**

106. **Intolerance, stigmatization, negative stereotyping and discrimination, in particular, are addressed also through public awareness-raising campaigns and educational measures. States also fund local and national projects aimed at promoting capacity-building, social cohesion and interfaith dialogue and increasing the participation of religious groups and communities.**

107. **Most States reported that there was religious freedom and pluralism domestically and that members of religious groups and communities were able to manifest their religion and contribute openly and on an equal footing in society.**

Religious freedom is often guaranteed at the constitutional level, and in accordance with domestic law. Several responses referred to the domestic legal frameworks, and subsequent amendments improving them, that allowed the practice of one's religion and provided for the functioning and management of religious communities and associations.

108. **Training on human rights, tolerance, anti-discrimination and the prevention of stereotypes is provided for government officials and public functionaries, especially in law enforcement, police and security services, in some countries. Some respondents noted that no issues of religious profiling had been identified domestically.**

109. **Some States undertake national and international initiatives to combat incitement to hatred, xenophobia and related intolerance on the Internet, and to address the role of the media in combating hate speech, xenophobia and related intolerance, including on the Internet. The Internet was generally identified as a medium for hate speech. However, it is also used as a means to tackle issues associated with discrimination on the basis of religion or belief, as it presents a forum for exchange, expression, dialogue, education, knowledge-management and information-sharing between and among networks, security officials and communities.**